



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/613,067	07/10/2000	Mitsuru Nagasaka	450100-02611	9087

20999	7590	10/10/2007
FROMMER LAWRENCE & HAUG		
745 FIFTH AVENUE- 10TH FL.		
NEW YORK, NY 10151		

EXAMINER	
NGUYEN BA, HOANG VU A	

ART UNIT	PAPER NUMBER
2623	

MAIL DATE	DELIVERY MODE
10/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/613,067	Applicant(s) NAGASAKA ET AL.	
	Examiner Hoang-Vu A. Nguyen-Ba	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f):
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 2, 2007 has been entered.
2. Claims 1-13 are pending. Claims 1, 6, 11, 12 and 13 are independent claims.

Response to Amendments

3. Per Applicants' request, Claims 1, 6, 11, 12 and 13 have been amended.

Response to Arguments

4. Applicants' arguments in the Remarks section (pp. 13-14) of the Amendment After Final filed July 26, 2007 have been fully considered but are not deemed persuasive. Following is an examiner's response to Applicants' arguments.

Applicants' arguments:

Claim 1 recites, inter alia:

"...wherein said user preference information includes a plurality of registration patterns, wherein the registration pattern is pre-selected information corresponding to an event and a timing of the event and limits the headline information that is to be searched wherein one of the plurality of registration patterns is selected first by a user, preceding a selection of corresponding search criteria, and wherein results of searching based on said user preference information are a function of the selected registration pattern combined with the selection of corresponding search criteria."
(emphasis added)

Applicants submit that nothing has been found in Williams, Anderson, or Bedard, taken alone or in combination, that discloses or suggests the above-identified features of claim 1.

Specifically, cited portions of Williams, column 5, lines 59-66, disclose that a user profile database tracks a number of criteria including whether to block information or whether additional programming information is requested with a particular channel. Williams goes on to give examples of a user preferring a certain volume level on a certain channel, etc. Applicants submit that this disclosure does not render claim 1 unpatentable. Specifically, cited portions of Williams do not teach or suggest results of searching based on said user preference information are a function of the selected registration pattern combined with the selection of corresponding search criteria.

Furthermore, Applicants submit that Williams, Anderson and Bedard fail to teach or suggest that said user preference information includes a plurality of registration patterns, wherein the registration pattern is pre-selected information corresponding to an event and a timing of the event and limits the headline information that is to be searched, wherein one of the plurality of registration patterns is selected first by a user, preceding a selection of corresponding search criteria, and wherein results of searching based on said user preference information are a function of the selected registration pattern combined with the selection of corresponding search criteria, as recited in claim 1.

Examiner's response:

"... wherein said user preference information includes a plurality of registration patterns" is met by Williams 11:22 – 12:7.

"wherein the registration pattern is pre-selected information corresponding to an event and a timing of the event and limits the headline information that is to be searched" is met by Williams 11:61-67.

"wherein one of the plurality of registration patterns is selected first by a user" is met by 11:61 – 12:7.

"a selection of corresponding search criteria" is met by Williams 17:17-22 (e.g., the user is able to access their preferences on user profile database to modify their previously selected search criteria). Thus, in light of this capability to modify previous selected search criteria, as disclosed by Williams, the claimed "preceding" is met.

"wherein results of searching based on said user preference information are a function of the selected registration pattern combined with the selection of corresponding search criteria" is met by Williams 11:61 – 12:7 and 17:17-22, as discussed above because after the user's modification of previous search criteria, the system controller uses the new search criteria, i.e., previous+modified criteria to search the programming information to present to the user.

Therefore, contrary to Applicants, the Williams-Anderson-Bedard combination does indeed disclose the above-identified features of Claim 1.

Since Claims 6, 11, 12 and 13 contain the same amended limitation "combined with the selection of corresponding search criteria" of currently amended Claim 1, the same response to Applicants arguments also applies to these claims.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,977,964 to Williams et al. ("Williams") in view of U.S. Patent No. 6,005,631 to Anderson et al. ("Anderson") and further in view of U.S. Patent No. 5,793,438 to Bedard.

Claim 1 (Currently amended)

An information receiving apparatus for receiving headline information related to information, comprising:

memory means for storing user preference information (see Office action mailed September 22, 2006);

means for detecting reception of a plurality of headline information related to the information (see Office action mailed September 22, 2006);

means for searching, based on said user preference information stored in said memory means, headline information coincided with said user preference information among received headline information at the time when the reception of said plurality of headline information is detected by said detecting means (see Office action mailed September 22, 2006);

means for generating a first image corresponding to the user preference information (see Office action mailed September 22, 2006);

means for generating a second image corresponding to a search result; and means for superimposing the first image and the second image over a current video signal (see Office action mailed September 22, 2006);

wherein said user preference information includes a plurality of registration patterns (see at least Williams 11:22 – 12:7);

wherein the registration pattern is pre-selected information corresponding to an event and a timing of the event and limits the headline information that is to be searched (see at least Williams 11:61-67),

wherein one of the plurality of registration patterns is selected first by a user, preceding a selection of corresponding search criteria (see at least Williams 11:61 – 12:7 and 17:17-22 and discussion in the examiner's response to Applicants' arguments above), and

wherein results of searching based on said user preference information are a function of the selected registration pattern combined with the selection of corresponding search criteria (see at least Williams 11:61 – 12:7 and 17:17-22 and discussion in the examiner's response to Applicants' arguments above).

Claim 6 (Currently Amended)

A method for receiving headline information related to an information, the method comprising the steps of:

storing user preference information; detecting reception of a plurality of headline information related to an information (see Office action mailed September 22, 2006);

searching, based on said user preference information stored at said storing step, headline information coincided with said user preference information among received headline information at the time when the reception of said plurality of headline information is detected at said detecting step (see Office action mailed September 22, 2006);

generating a first image corresponding to the user preference information (see Office action mailed September 22, 2006);

generating a second image corresponding to a search result (see Office action mailed September 22, 2006); *and*

superimposing the first image and the second image over a current video signal (see Office action mailed September 22, 2006);

wherein said user preference information includes a plurality of registration patterns (see at least Williams 11:22 – 12:7),

wherein each registration pattern is pre-selected information corresponding to an event and a timing of the event and, limiting the headline information that is to be searched (see at least Williams 11:61-67),

wherein one of the plurality of registration patterns is selected first by a user, preceding a selection of corresponding search criteria (see at least Williams 11:61 – 12:7 and 17:17-22 and discussion in the examiner's response to Applicants' arguments above), *and*

wherein results of searching based on said user preference information are a function of the selected registration pattern combined with the selection of corresponding search criteria (see at least Williams 11:61 – 12:7 and 17:17-22 and discussion in the examiner's response to Applicants' arguments above).

Claim 11 (Currently Amended)

A program information receiving apparatus for receiving an Electronic Program Guide (EPG) information, comprising:

remote commander means (see Office action mailed September 22, 2006);

memory means for storing user preference information entered from said remote commander means (see Office action mailed September 22, 2006);

means for detecting reception of a plurality of headline information related to an information (see Office action mailed September 22, 2006); and

means for searching, based on said user preference information stored in said memory means, headline information coincided with said user preference information among received headline information at the time when the reception of said plurality of headline information is detected by said detecting means (see Office action mailed September 22, 2006);

means for generating a first image corresponding to the user preference information (see Office action mailed September 22, 2006);

means for generating a second image corresponding to a search result (see Office action mailed September 22, 2006);

means for superimposing the first image and the second image over a current video signal (see Office action mailed September 22, 2006);

wherein said user preference information includes a plurality of registration patterns (see at least Williams 11:22 – 12:7),

wherein the registration pattern is pre-selected information corresponding to an event and a timing of the event and limits the headline information that is to be searched (see at least Williams 11:61-67),

wherein one of the plurality of registration patterns is selected first by a user, preceding a selection of corresponding search criteria (see at least Williams 11:61 – 12:7 and 17:17-22 and discussion in the examiner's response to Applicants' arguments above), and

wherein the results of searching based on said user preference information are a function of the selected registration pattern combined with the selection of corresponding search criteria (see at least Williams 11:61 – 12:7 and 17:17-22 and discussion in the examiner's response to Applicants' arguments above).

Claim 12 (Currently Amended)

An information receiving apparatus for receiving headline information related to information, comprising:

a memory unit adapted to store user preference information (see Office action mailed September 22, 2006);

a detection unit adapted to detect reception of a plurality of headline information related to the information (see Office action mailed September 22, 2006);

a searching unit adapted to search, based on said user preference information stored in said memory unit, headline information coincided with said user preference information among received headline information at the time when the reception of said plurality of headline information is detected by said detection unit (see Office action mailed September 22, 2006);

a first image generating unit adapted to generate a first image corresponding to the user preference information (see Office action mailed September 22, 2006);

a second image generating unit adapted to generate a second image corresponding to a search result (see Office action mailed September 22, 2006); and

a superimposing unit adapted to superimpose the first image and the second image over a current video signal (see Office action mailed September 22, 2006);

wherein said user preference information includes a plurality of registration patterns (see at least Williams 11:22 – 12:7),

wherein the registration pattern is pre-selected information corresponding to an event and a timing of the event and limits the headline information that is to be searched (see at least Williams 11:61-67),

wherein one of the plurality of registration patterns is selected first by a user, preceding a selection of corresponding search criteria (see at least Williams 11:61 – 12:7 and 17:17-22 and discussion in the examiner's response to Applicants' arguments above), and

wherein results of searching based on said user preference information are a function of the selected registration pattern combined with the selection of corresponding search criteria (see at least Williams 11:61 – 12:7 and 17:17-22 and discussion in the examiner's response to Applicants' arguments above).

Claim 13 (Currently Amended)

A program information receiving apparatus for receiving Electronic Program Guide (EPG) information, comprising:

a remote commander unit (see Office action mailed September 22, 2006);

a memory unit adapted to store user preference information entered from said remote commander unit (see Office action mailed September 22, 2006);

a detection unit adapted to detect reception of a plurality of headline information related to an information (see Office action mailed September 22, 2006); and

a searching unit adapted to search, based on said user preference information stored in said memory unit, headline information coincided with said user preference information among received headline information at the time when the reception of said plurality of headline information is detected by said detection unit (see Office action mailed September 22, 2006);

a first image generating unit adapted to generate a first image corresponding to the user preference information (see Office action mailed September 22, 2006);

a second image generating unit adapted to generate a second image corresponding to a search result (see Office action mailed September 22, 2006);

a superimposing unit adapted to superimpose the first image and the second image over a current video signal (see Office action mailed September 22, 2006);

wherein said user preference information includes a plurality of registration patterns (see at least Williams 11:22 – 12:7),

wherein the registration pattern is pre-selected information corresponding to an event and a timing of the event and limits the headline information that is to be searched (see at least Williams 11:61-67),

wherein one of the plurality of registration patterns is selected first by a user, preceding a selection of corresponding search criteria (see at least Williams 11:61 – 12:7 and 17:17-22 and discussion in the examiner's response to Applicants' arguments above), and

wherein the results of searching based on said user preference information are a function of the selected registration pattern combined with the selection of corresponding search criteria (see at least Williams 11:61 – 12:7 and 17:17-22 and discussion in the examiner's response to Applicants' arguments above).

Claims 2-5 and 7-10 (Original)

See Office action mailed September 22, 2006.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Hoang-Vu A. Nguyen-Ba whose telephone number is (571) 272-3701. The Examiner can normally be reached on Tuesday - Friday from 7:00 – 17:30.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, John Miller can be reached at (571) 272-7353.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2600 Group receptionist: 571-272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, reading "Antony Nguyen-Ba". The signature is fluid and cursive, with the first name "Antony" being more prominent and the last name "Nguyen-Ba" following in a similar style.

**ANTONY NGUYEN-BA
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100**

September 18, 2007